

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

517I0453

## HOUSE ENGROSSED NO. **HB 1087** - 02/04/2003

Introduced by: Representatives Murschel, Bartling, Burg, Hargens, Heineman, Hunhoff, Klaudt, Madsen, McCoy, Miles, Nesselhuf, Peterson (Bill), Putnam, Smidt, Van Gerpen, and Van Norman and Senators Albers, Abdallah, Kloucek, Koetzle, McCracken, Moore, Reedy, and Symens

1 FOR AN ACT ENTITLED, An Act to revise the definition of qualified mental health  
2 professionals and to clarify when reimbursement is required for the services of qualified  
3 mental health professionals.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 27A-1-3 be amended to read as follows:

6 27A-1-3. As used in this title, the term, "qualified mental health professional", means a  
7 physician licensed pursuant to chapter 36-4 or a member of one of the professions listed in this  
8 section who has received a competency-based endorsement as a qualified mental health  
9 professional from the Department of Human Services. The following persons are eligible to apply  
10 for the endorsement:

- 11 (1) A psychologist who is licensed to practice psychology in South Dakota;
- 12 (2) A psychiatric nurse with a master's degree from an accredited education program and  
13 two years of supervised clinical experience in a mental health setting;
- 14 (3) A certified social worker with a master's degree from an accredited training program



1           and two years of supervised clinical experience in a mental health setting;

2       (4)   A person who has a master's degree in psychology from an accredited program and  
3           two years of supervised clinical mental health experience and who meets the provision  
4           of subdivision 36-27A-2(2); ~~or~~

5       (5)   A counselor who is certified under chapter 36-32 as a licensed professional counselor  
6           -- mental health; or

7       (6)   A therapist who is licensed under chapter 36-33 as a marriage and family therapist  
8           with two years of supervised clinical experience in a mental health setting.

9       Except as provided in § 36-4-20, each qualified mental health professional shall meet all  
10      licensing and certification requirements promulgated by the State of South Dakota for persons  
11      engaged in private practice of the same profession in South Dakota. However, the private  
12      practice licensure requirement for persons referred to in subdivision (4) does not apply to those  
13      employed by the State of South Dakota or mental health centers.

14      Section 2. That § 58-17-56 be amended to read as follows:

15      58-17-56. Notwithstanding any provision of any policy of insurance subject to the general  
16      provisions of this title, whenever such policy or contract provides for reimbursement for any  
17      service rendered by or directly supervised by a qualified mental health professional as defined in  
18      § 27A-1-3, which may be legally performed by a mental health center as defined by § 27A-1-1,  
19      reimbursement for coverage provided under such policy or contracts may not be denied.  
20      However, the provisions of this section only apply to the services defined in § 58-17-98.